

March 15, 1978

LB 920, 922, 92A

ASSISTANT CLERK: Record vote read. (See page 1203, Legislative Journal.) The vote is 46 ayes, 0 nays, 3 not voting.

PRESIDENT: LB 929 passes. Please read LB 933.

ASSISTANT CLERK: Mr. President, there is a motion by Senator Warner asking unanimous consent to pass over LB 933.

PRESIDENT: Is there an objection? Seeing none, we shall pass over. We are still on Final Reading. We did pass over 92A. Senator Warner has advised the Chair that the appropriation in LB 92A was not in the Governor's budget and, therefore, will require 30 votes. Please read LB 92A.

ASSISTANT CLERK: Final Reading of LB 92A.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 92A pass? Record your vote. Have you all voted? Record.

ASSISTANT CLERK: Record vote read. (See page 1204, Legislative Journal.) The vote is 27 ayes, 17 nays, 5 not voting.

PRESIDENT: Upon the advice of the Chairman of the Appropriations Committee that this bill does exceed the Governor's budget, and in view of Article 3, section 22 of the Constitution, LB 92A fails to pass. Senator Warner, did you want to address the body regarding LB 92?

SENATOR WARNER: Mr. President, I assume the option is two ways. I should additionally explain I suppose that checking with the Governor's office, their position is that his approval for the increase called for in 92 is contingent upon another bill's passage which did not occur so his recommendation does no longer stand for enactment. I would suggest, I assume the bill is sent over as it is. It may come back as vetoed, but in any event, I would assume it might be appropriate for someone who voted for LB 92 to move to reconsider its passage, because if it did become law, it would create a deficiency next session. I cannot make that motion. I voted in opposition.

PRESIDENT: Senator Goodrich.

SENATOR GOODRICH: Mr. President, members of the body, I am going to recommend we just leave it set just like it is right here. We will have a motion to reconsider our action on 92A which will nullify the need to do anything on 92 so all we have to do is just hold 92 right where it is without sending it to the Governor until we get a chance to get that motion on the desk and get another vote on 92A.

PRESIDENT: Well, whatever, you seek your own counsel and do the appropriate thing then. That completes Final Reading. Senator Duis, for what purpose do you arise?

SENATOR DUIS: Just a question of the Chair in regard to his idea. I don't think you could do this just by.....

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